

THE EFFECTIVE DATE OF THIS RESOLUTION IS MAY 24, 2005

RESOLUTION NO. 05-26

Re: Moderately Priced Dwelling Unit Program
Revision to Income Eligibility Requirements

PREAMBLE

Pursuant to the authority contained in Article 66B, Section 10.01 of the Annotated Code of Maryland, in November 2002 the Board of County Commissioners adopted an Ordinance which creates a Moderately Priced Dwelling Unit (MPDU) Program. Pursuant to that Ordinance, the Director of the Department of Housing and Community Development must establish standards of eligibility for the MPDU Program and revise regulations when changes in market conditions affect the ability of moderate income households to buy or rent housing. The Director has proposed revisions to the regulations concerning maximum income eligibility limits for individuals and families who want to purchase or rent MPDU units constructed and marketed under the MPDU Program.

The Board of County Commissioners in a work session held May 24, 2005, unanimously approved revisions to the maximum income eligibility limits and made some minor modifications to Section 3, Sources of Income.

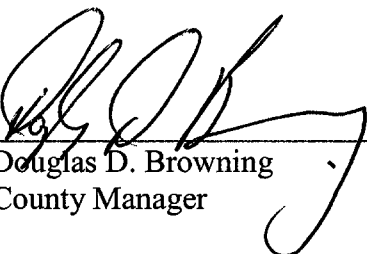
RESOLUTION

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY, MARYLAND, hereby adopts the revisions to income and eligibility standards as set forth in the regulations attached hereto as Exhibit B.

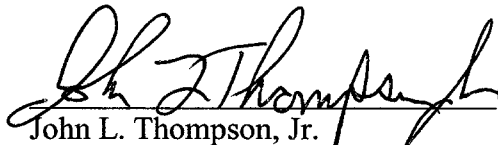
The undersigned hereby certify that this Resolution was approved and adopted on this 24th day of MAY, 2005.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND



Douglas D. Browning
County Manager

 (SEAL)

John L. Thompson, Jr.
President

MIC 6/22/05

EXHIBIT B

FREDERICK COUNTY REGULATION ON:

Moderately Priced Dwelling Unit Income Eligibility Requirements

Frederick County Housing and Community Development

SUMMARY: This regulation establishes the maximum income eligibility limits for individuals and families who want to purchase or rent Moderately Priced Dwelling Units constructed and marketed under the Moderately Priced Dwelling Unit Program.

ADDRESSES: Information and copies of this regulation are available from the Department of Housing and Community Development (DHCD), 520 North Market Street, Frederick, Maryland 21701

STAFF CONTACT: Jennifer S. Short, Telephone Number: (301) 631-3530

BACKGROUND INFORMATION:

Chapter 6A (Section 1-6A-4) of the Frederick County Code, requires that the Board of County Commissioners issue regulations establishing maximum permitted moderate income levels for purchase and rental of Moderately Priced Dwelling Units (MPDUs). This regulation sets forth the maximum income levels permitted for the purchase and initial rental of an MPDU.

Adopted 11/22/02
Revised 05/24/05

Section 1

Maximum Income Limits for Purchase

The maximum income limits listed below will be used to determine eligibility for the purchase of Moderately Priced Dwelling Units:

| <u>Household Size</u> | <u>Maximum Permitted Moderate Income</u> |
|----------------------------------|---|
| 1 | \$43,750 |
| 2 | \$49,980 |
| 3 | \$56,280 |
| 4 | \$62,510 |
| 5 or more | \$67,480 |

Income Limits are based on 70% of the HUD Washington PMSA and will automatically adjust annually when the income limits are published in the Federal Register.

Section 2

Maximum Income Limits for Rental

The maximum income limits listed below will be used to determine eligibility for the rental of Moderately Priced Dwelling Units:

| <u>Household Size</u> | <u>Maximum Permitted Moderate Income</u> |
|----------------------------------|---|
| 1 | \$31,250 |
| 2 | \$35,700 |
| 3 | \$40,200 |
| 4 | \$44,650 |
| 5 or more | \$48,200 |

Income limits are based on 50% of the HUD Washington PMSA and will automatically adjust annually when the income limits are published in the Federal Register.

Section 3

Sources of Income

Maximum permitted moderate income is defined as the gross income received annually from all sources by all wage earners in a family or household unit. Sources of income include, but are not necessarily limited to the following:

- 1) Wages and salary
- 2) Child Support
- 3) Alimony
- 4) Interest from savings and checking accounts
- 5) Dividends and interest from stocks and bonds, and interest from certificates of deposit
- 6) Social Security benefits
- 7) Veterans Administration benefits
- 8) Overtime pay
- 9) Unemployment insurance benefits
- 10) Bonus payments
- 11) Pension and retirement payments
- 12) Disability benefits
- 13) Any other annuities or stipends received
- 14) Income from real estate investments
Loss generated from investments in real estate will not be used to reduce gross income.
- 15) Tax Exempt Income

Section 4

Other Housing Programs

When the requirement under Chapter 6A to provide moderately priced dwelling units is met through the construction of public housing or with housing constructed under other Federal, State or local programs to assist low and moderate income families, the income limits of the appropriate program will prevail.